

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/722,663
Applicants: Thomas M. Iannarelli and Timothy L. Gardner
Filed: November 26, 2003
Title: HEAD MOUNTED BINOCULARS/RANGE FINDER
T.C./A.U.: 2872
Examiner: Arnel C. Lavarias
Confirmation No.: 7672
Docket No.: 182967-0002

[FILED ELECTRONICALLY MAY 18, 2009]**PRELIMINARY AMENDMENT****Mail Stop RCE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Having filed an accompanying Request for Continued Examination ("RCE"), the Applicants submit the following response and preliminary amendment in response to and relating to the final Office Action dated November 17, 2008, which finally rejected each of pending claims 1 through 18.

- ☒ A three month extension of time is requested to extend the time for response to the final Office Action to and through **May 17, 2009**. The Commissioner is authorized to charge Deposit Account No. **50-2951** in the amount of **\$555.00**. The Commissioner is further authorized to charge any deficiency or credit any overpayment of fees associated with this communication to Deposit Account No. **50-2951**.
- ☐ **Amendments to the Specification** begin on page _____ of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.
- ☐ **Amendments to the Drawings** begin on page _____ of this paper and include enclosed replacement sheet(s).
- ☐ **Amendments to the Abstract** are on page _____ of this paper. A clean version of the Abstract is enclosed.
- ☒ **Remarks/Arguments** begin on page 5 of this paper.